

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

OPTi Inc.	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 2-07-CV-021 (CE)
	§	
Apple Inc.	§	
	§	
Defendant.	§	

**OPTI INC.'S AGREED MOTION FOR APPROVAL AND ENTRY OF STIPULATION
OF DISMISSAL OF CLAIM 9 OF THE '906 PATENT**

Plaintiff OPTi Inc. respectfully moves the Court for approval and entry of the attached Order Regarding Stipulation and Dismissal of Claim 9 of the '906 Patent between Plaintiff and Defendant Apple, Inc. Plaintiff and Defendant (the "Parties") have agreed to dismiss with prejudice all claims and counterclaims regarding Claim 9 of U.S. Patent No. 5,710,906 (the "'906 patent") asserted in this action against the other. Claim 9 is the only claim of the '906 patent upon which either party has asserted claims or counterclaims in this matter.

All other claims and counterclaims of the Parties in this action regarding Claims 73, 74, and 88 of U.S. Patent No. 6,405,291 (the "'291 patent") as stated in their Joint Proposed Pretrial Order (Dkt. No. 101) are unaffected by this motion and remain set for trial on the Court's April 6, 2009 Jury Selection Docket.

Dated: March 11, 2009

OPTi Inc.

/s/ Sam Baxter

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CERTIFICATE OF CONFERENCE

Counsel for Plaintiff Opti, Inc. has met and conferred with counsel for Defendant Apple, Inc. and Defendant's counsel has agreed to the relief requested herein.

/s/ Sam Baxter

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this notice was served on all counsel who are deemed to have consented to electronic service. Local Rule CV-5(a)(3)(A). Pursuant to Fed. R. Civ. P. 5(d) and Local Rule CV-5(e), all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy via facsimile and/or U.S. First Class Mail this 11th day of March, 2009.

/s/ Sam Baxter